

JOSEPH H. HUNT  
Assistant Attorney General

MARCI A BERMAN  
Assistant Branch Director

KAREN S. BLOOM  
Senior Counsel  
R. CHARLIE MERRITT  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington DC 20005  
Phone: (202) 514-4964  
Fax: (202) 616-8098  
Karen.s.bloom@usdoj.gov

*Attorneys for Defendant*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

NIESHA WRIGHT,  <i>Plaintiff,</i>	Case 3:17-cv-01066-JR
v.  ELISABETH DEVOS,  <i>Defendant.</i>	<b>MOTION TO STAY</b>

**LR 7-1 CERTIFICATION**

Counsel for the parties have conferred and Plaintiff's counsel has authorized counsel for the Government to state that Plaintiff objects to this motion.

**MOTION**

Defendant hereby moves for a stay of all proceedings, including the January 22, 2019 deadline for the parties' joint status report.

1. On October 2, 2017, this Court granted Plaintiff's unopposed motion to stay this case, and ordered the parties to file Joint Status Reports every sixty (60) days. ECF 10, 11. The parties' next Joint Status Report is due January 22, 2019. ECF 28.

2. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

3. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342.

4. Undersigned counsel for the Department of Justice therefore requests a stay of proceedings, including the deadline for the parties' next joint status report, until Congress has restored appropriations to the Department.

5. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, the status report deadline and any other deadlines be extended commensurate with the duration of the lapse in appropriations.

6. Opposing counsel has authorized counsel for the Government to state that he objects to this motion, and intends to file a response within 48 hours.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of proceedings, including a stay of the deadline for the January 22, 2019 Joint Status Report in this case, until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated: January 16, 2019

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

MARCIA BERMAN  
Assistant Branch Director

*/s/ Karen S. Bloom*  
KAREN S. BLOOM (DC # 499425)  
Senior Counsel  
R. CHARLIE MERRITT (VA # 89400)  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington DC 20005  
(202) 514-4964  
(202) 616-8098  
Karen.s.bloom@usdoj.gov

*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing motion was delivered to all counsel of record via the Court's ECF notification system.

*/s/ Karen S. Bloom*  
KAREN S. BLOOM